IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 2982-M of 2007

DATE OF DECISION : 15.03.2007

Surender alias Bablu

.... PETITIONER

Versus

State of Haryana and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Vishal Malik, Advocate, for
Mr. J.S. Bedi, Advocate,
for the petitioner.

Mr. S.S. Mor, Senior DAG, Haryana.

Petitioner Surender alias Bablu, apprehending his arrest in a non-bailable offence in case FIR No. 666 dated 29.11.2006 under Sections 148, 149, 307 IPC and 25/54/59 of the Arms Act, registered at Police Station City Rohtak, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

On January 18, 2007, interim anticipatory bail was granted to the petitioner subject to his joining investigation.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 8.1.2007, passed by Additional Sessions Judge, Rohtak, whereby bail application of the petitioner has been dismissed.

Counsel for the petitioner, while referring to the affidavit of complainant Vijay, contends that the complainant has categorically submitted in the affidavit that the petitioner did not attribute any injury to him. Counsel further contends that even in the FIR, no role has been attributed to the petitioner and the injury received by the complainant is only simple injury. As far as the petitioner is concerned, counsel contends

that he has been falsely implicated.

Counsel for the petitioner further states that in terms of the interim order dated January 18, 2007, the petitioner has joined the investigation. The State counsel does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated January 18, 2007, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

March 15, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**